

AUSAs: Jennifer N. Ong, Ryan W. Allison, Margaret Vasu

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

DERICA COLLINS,

Defendant.

23 MJ 7356

SEALED COMPLAINT

Violation of 18 U.S.C. §§ 922(g)(1), 2

COUNTY OF OFFENSE:
ORANGE

SOUTHERN DISTRICT OF NEW YORK, ss.:

THOMAS L. ANDERSON, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), and charges as follows:

COUNT ONE

(Shipping or Transporting a Firearm After a Felony Conviction)

1. On or about January 24, 2022, in the Southern District of New York and elsewhere, DERICA COLLINS, the defendant, knowing she had previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly shipped and transported in interstate commerce a firearm, to wit, a Sarsilmaz B6C handgun, s/n T1102-17G02999.

(Title 18, United States Code, Sections 922(g)(1) and 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

2. I am a Special Agent with the FBI, and I have been personally involved in the investigation of this matter. This Affidavit is based upon my personal participation in the investigation of this matter, my conversations with law enforcement agents and others, as well as my examination of reports and records. From this investigation, I have learned the following, among other things. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3. On or about May 3, 2023, the Honorable Judith C. McCarthy, United States Magistrate Judge, Southern District of New York, authorized a warrant (the "Warrant") to search a cellphone ("Cellphone-1") that had been recovered on or about March 8, 2022, in Newburgh, New York. 23 Mag. 3541. The Warrant permitted the FBI to search Cellphone-1 for, among other things, evidence of efforts to obtain and/or possess firearms. At the time the Warrant was issued, the FBI believed that Cellphone-1 belonged to a particular individual ("Individual-1").

4. Based on my review of the data contained in Cellphone-1, which was conducted pursuant to the Warrant, I am aware of the following:

a. Cellphone-1 is registered to a particular cellphone number and to a particular email address that I know to be associated with Individual-1.

b. In or about January 2022, a particular cellphone number ending in 4760 (the “4760 Number”) and Cellphone-1 had multiple conversations about the user of the 4760 Number shipping a firearm to the user of Cellphone-1. During these conversations, the 4760 Number sent Cellphone-1 multiple photographs and at least one video of a black Sarsilmaz B6C handgun, s/n T1102-17G02999 (the “Firearm”).

c. On or about January 24, 2022, the 4760 Number sent Cellphone-1 an image of a receipt (the “Receipt”), dated January 24, 2023, from a United States Postal Service (“USPS”) office in Auburndale, Florida. The Receipt was for a purchase of express shipping for a four-pound item to be sent to Newburgh, New York, which cost \$72.35. The Receipt also contained a distinct USPS tracking number (the “Tracking Number”) for the shipment.

d. Around the same time that it sent a picture of the Receipt, the 4760 Number texted Cellphone-1, “GM. Heading to post office now. Once that’s done I will check on your ID.” Shortly thereafter, the 4760 Number texted Cellphone-1, “From [NAME] [ADDRESS] Auburndale 33823[;] To [NAME] [ADDRESS] Newburgh 12550.” The 4760 Number then wrote to Cellphone-1, “It’s \$72.35. I need the apartment #. Wya? I called your dad as well. This is suspicious.”

e. A short while later, Cellphone-1 texted the 4760 Number, “I hope you didn’t send it with the bullets in it.” The 4760 Number replied, “Yup. Idk I took the clip out.” Later, Cellphone-1 responded, “So the clip is out the gun, with the gullets [*sic*] in it, but still all in the same package?” The 4760 Number wrote back, “Yes.” Cellphone-1 replied, “SMH ok well I guess we’ll see how this goes.”

5. Based on my communications with members of the FBI and my review of USPS records, I am aware of the following regarding the Tracking Number:

a. The 4760 Number was submitted to the USPS to receive text message tracking updates for the Tracking Number.

b. At approximately 11:54 a.m. on January 25, 2022, the Tracking Number received a scan by a USPS employee located in Newburgh, New York, of “No Authorized Recipient Available.”

c. At approximately 12:03 p.m. on January 25, 2022, the Tracking Number received a scan of “Redelivery Scheduled.”

d. On or about January 26, 2022, the 4760 Number made a phone call to a USPS customer hotline regarding the Tracking Number.

e. On or about February 3, 2022, a particular cellphone number ending in 3792 (the “3792 Number”) made a phone call to a USPS customer hotline regarding the Tracking Number.

6. Based on my review of the data contained in Cellphone-1, which was conducted pursuant to the Warrant, I am aware of the following regarding the 3792 Number:

a. On or about February 3, 2022, the 3792 Number texted Cellphone-1, "Your ID should be here between today and tomorrow. What's going on with the package?" Cellphone-1 responded, "Nothing new. You was been supposed to get someone on the phone about that. 400\$ down the dran [sic]. Oh well. Not like we needed that money or anything." The 3792 Number texted back, "I can't because it's still stuck on the 26th. No new scans. That's what the lady told me that's why I keep asking." Cellphone-1 replied, "You was supposed to get someone on the phone Monday. IDK what happened but I just took the loss. Fuck it. Not like everything else in my life not going down hill anyways." The 3792 Number responded, "I did call Monday Bae. I'm on hold with them now that's another reason why I'm asking. You think I'm really gonna let it go like that."

7. Based on my communications with members of the FBI and my review of USPS records, I am aware of the following regarding the Tracking Number:

a. On or about March 29, 2022, the Tracking Number received a scan of "Unclaimed" in Newburgh, New York.

b. On or about March 30, 2022, the package associated with the Tracking Number back arrived in Auburndale, Florida.

c. On or about April 16, 2022, the package associated with the Tracking Number arrived at a USPS facility in Atlanta, Georgia.

d. On or about April 27, 2022, an inspector with the United States Postal Inspection Service (the "USPIS") recovered the Firearm from a USPS facility in Atlanta, Georgia.

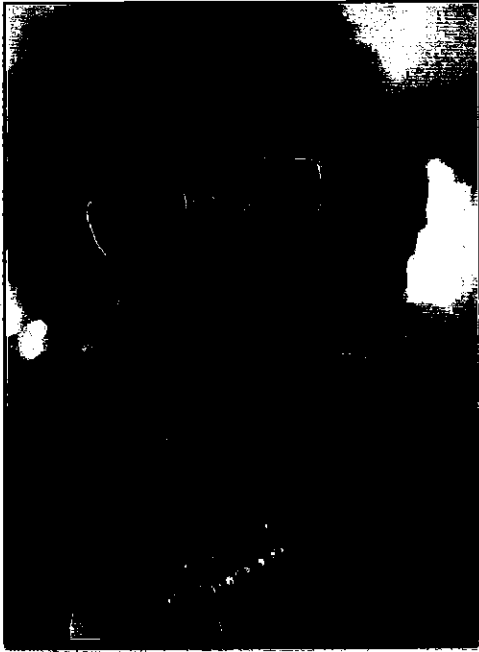
e. On or about May 31, 2022, the USPIS learned that the Firearm had been reported stolen in Lakeland, Florida.

8. I believe the 4760 Number was used by DERICA COLLINS, the defendant, for the following reasons, among others:

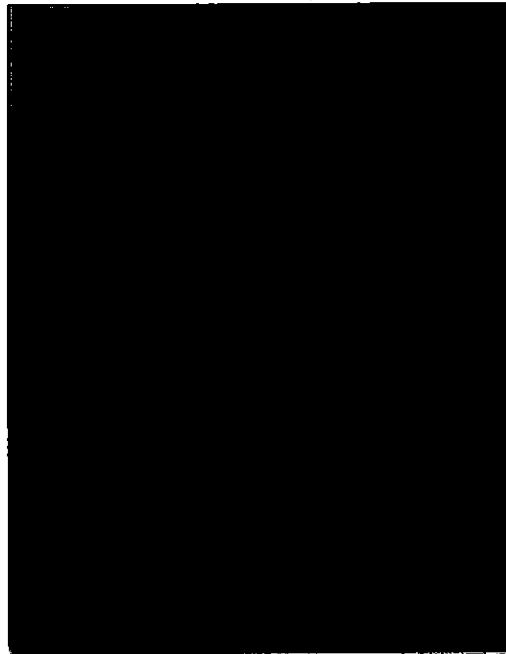
a. In response to a subpoena, T-Mobile disclosed subscriber records for the 4760 Number, which state that the 4760 Number has no listed subscriber name.

b. However, I have reviewed what appear to be multiple "selfie"-style photographs sent by the 4760 Number to Cellphone-1, which depict an individual who appears to be the same

person depicted in known photographs of COLLINS maintained by the Polk County Sheriff's Office in Florida. For example:



Photograph Sent by the 4760 Number



DERICA COLLINS Booking Photo

c. Moreover, for the reasons described below in Paragraph 9, I believe the user of the 3792 Number is COLLINS, and for the following reasons, I believe the 3792 Number and the 4760 Number were used by the same person.

i. On or about December 23, 2021, the 4760 Number texted Cellphone-1, "How are you feeling?" Cellphone-1 replied, "Who number is this?" The 4760 Number responded, "This my other number." In the days and hours immediately preceding and following this exchange, the 3792 Number and Cellphone-1 had repeated text contact, including discussions about the user of Cellphone-1 not feeling well.

ii. As described above in Paragraph 6(a), the 3792 Number texted Cellphone-1 about what appears to be the same firearm shipment that the 4760 Number texted Cellphone-1 about, as described in Paragraphs 4(b) through 4(e). For instance, the 3792 Number texted Cellphone-1 to check on the status of "the package" and wrote that the package was "still stuck on the 26th" with "no new scans" (which, as described above in Paragraphs 5(a) through 5(c), is consistent with the travel pattern of the Tracking Number, which had originally been registered to the 4760 Number). Both the 3792 Number and the 4760 Number also made telephonic inquiries to the USPS regarding the same package associated with the Tracking Number, as described above in Paragraphs 5(d) and 5(e), and the 3792 Number later texted Cellphone-1 that "I," meaning the user of the 3792 Number, had made multiple "call[s]" to USPS, as described in Paragraph 6(a). Given that (A) the 3792 Number and the 4760 Number both appear to have been discussing the same shipment of a firearm to the user of Cellphone-1, (B) the user of the 3792 referred to herself, and no one else, making multiple "call[s]" to USPS regarding the Tracking Number, and (C) there

is no discussion between the 3792 Number/the 4760 Number and Cellphone-1 about working with anyone else on the firearm shipment, I believe the 3792 Number and the 4760 Number were used by the same person—*i.e.*, COLLINS.

d. Based on the above, among other things, I believe COLLINS used the 4760 Number in or about January 2022.

9. I believe the 3792 Number was also used by COLLINS for the following reasons, among others:

a. In response to a subpoena, T-Mobile disclosed subscriber records for the 3792 Number, which state that the 3792 Number has been registered to “DERICA COLLINS” since approximately June 2014.

b. In Cellphone-1, the 3792 Number is saved under the contact name “Deric100!”

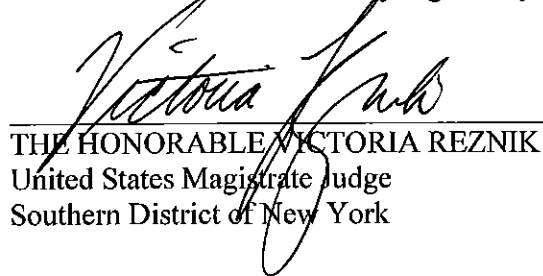
10. Based on my review of criminal history records for DERICA COLLINS, the defendant, I am aware that, on or about May 12, 2006, in state court in Polk County, Florida, COLLINS was adjudicated guilty of manslaughter, in violation of Fla. Stat. § 782.07(1), and sentenced principally to five years’ imprisonment.

WHEREFORE, I respectfully request that a warrant be issued for the arrest of DERICA COLLINS, the defendant, and that she be arrested, and imprisoned or bailed, as the case may be.



THOMAS L. ANDERSON
Special Agent
Federal Bureau of Investigation

Sworn to before me this twenty-eighth day of November, 2023.



THE HONORABLE VICTORIA REZNIK
United States Magistrate Judge
Southern District of New York